



STATE OF NEW JERSEY
DEPARTMENT OF PERSONNEL

RICHARD J. CODEY
ACTING GOVERNOR

ROLANDO TORRES, JR.
COMMISSIONER

Merit System Board

**MINUTES OF REGULAR MEETING OF
THE MERIT SYSTEM BOARD
April 6, 2005**

**Rolando Torres, Jr., Chairman
Flavella Branham
John Currie
Robert Long**

APRIL 6, 2005

A regular meeting of the Merit System Board was held on Wednesday, April 6, 2005, in Trenton, New Jersey.

PRESENT: Chairman Rolando Torres Jr., Merit System Board Members, Flavella Branham, John Currie and Robert J. Long; Pamela Ullman, Deputy Attorney General; and Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, Chairman Rolando Torres, Jr. opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on December 3, 2004, and posted at the Department of Personnel, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Michael A. Carlucci
Township of Bloomfield
Department of Public Works
Removal

In the Matter of John Clarici
East Jersey State Prison
Department of Corrections
Suspension

In the Matter of Michele Goolsby, et al.
City of Bridgeton
Layoff (good faith)

In the Matter of Irvin B. Hill
Northern State Prison
Department of Corrections
Suspension

In the Matter of Linda Johnson
New Jersey City University
Suspension

In the Matter of Delbert S. Mathis
County of Burlington
County Jail
Suspension

In the Matter of Eric Osterlind
Township of Willingboro
Police Department
Suspension

In the Matter of Tracy Wheeler
Judiciary Ocean Vicinage
Release at the end of the working test period

RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN THESE CASES – SETTLEMENT

ACTION: The Merit System Board acknowledged the settlements.

A2 WILLIAM BERGIN

William Bergin, Security Officer, Ramapo College of New Jersey, removal effective May 9, 2003 on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty and misuse of public property including motor vehicles and insubordination.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge.

A-3 SUZANNE FREDRIKSEN

Suzanne Fredriksen, Senior Clerk Typist, City of Cape May, Department of Public Works, removal effective July 25, 2003, on charges of incompetency, inefficiency or failure to perform duties, inability to perform duties, neglect of duty and insubordination.

Recommendation of the Administrative Law Judge – Modify the removal to a 120-day suspension.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge

A-4 DEBORAH WREDE (FAILURE TO APPEAR)

Deborah Wrede, Practical Nurse, Greystone Psychiatric Hospital, Department of Human Services, removal effective September 4, 2003, on the charge of serious mistake due to carelessness which could result in danger to persons/property.

Recommendation of the Administrative Law Judge – Dismiss the appeal for lack of prosecution.

ACTION: The Merit System Board remanded the matter to the Office of Administrative Law.

A-5 MICHELLE THURBER

Michelle Thurber, Deputy Municipal Court Administrator, City of Burlington, Municipal Court Department, removal effective May 11, 2001, on the charge of conduct unbecoming a public employee and removal effective immediately on the charge of other sufficient cause. This matter was previously presented to the Merit System Board at its regular meeting of December 15, 2004, but was held over for the Board to obtain advice from the Attorney General's Office.

Recommendation of the Administrative Law Judge – Modify the removals to a six-month suspension.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge. The Board further ordered that she be reinstated to her former position as Deputy Municipal Court Administrator.

A-6 CARMELLA VARGA

Carmella Varga, Deputy Municipal Court Administrator, Township of North Brunswick, Municipal Court, removal effective April 10, 2003, on the charge of failure to perform duties, inability to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause. This matter was previously presented to the Merit System Board at its regular meeting of January 12, 2005, but was held over for the Board to obtain advice from the Attorney General's Office.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge.

A-7 LEONARD WILSON

Leonard Wilson, Senior Correction Officer, Albert J. Wagner Youth Correction Facility, Department of Corrections, 15-day suspension and removal effective April 25, 2005, on charges of other sufficient cause and failure to follow call-off or call-in procedures.

Recommendation of the Administrative Law Judge – Reverse the 15-day suspension and removal.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to an official written reprimand.

SECTION B – MISCELLANEOUS MATTERS

B-1 JOHN ANDERSON

John Anderson appeals his rejection as a Sheriff's Officer candidate by the County of Ocean and its request to remove his name from the eligible list for Sheriff's Officer (S9999B) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be granted.

B-2 MICHAEL J. BORON

Michael J. Boron appeals his rejection as a Police Officer candidate by the City of Elizabeth and its request to remove his name from the eligible list for Police Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-3 JOSEPH T. MASSEY, III

Joseph T. Massey, III, appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-4 DARRELL MOORE

Darrell Moore appeals his rejection as a Correction Officer Recruit by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be granted.

B-5 ARMAND J. RANIA

Armand J. Rania, represented by Roy L. Whitmore, Esq., appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board referred the matter for independent psychological evaluation.

B-6 JOSE A. RIVERA

Jose A. Rivera appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-7 DANIEL A. ROOHR

Daniel A. Roohr appeals his rejection as a Police Officer candidate by the Township of Bordentown and its request to remove his name from the eligible list for Police Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-8 FRANK RUBINO

Frank Rubino, represented by Anthony J. Fusco, Jr., Esq., appeals his rejection as a County Correction Officer candidate by the County of Essex and its request to remove his name from the eligible list for County Correction Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-9 RAYMOND SKOP

Raymond Skop, represented by Joseph A. Turula, Esq., appeals his rejection as a Police Officer candidate by the City of Jersey City and its request to remove his name from the eligible list for Police Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-10 ALFRED LEE OLIVER

Alfred Lee Oliver appeals the request by the New Jersey Department of Corrections to remove his name from the Correction Officer Recruit (S9999D) eligible list for medical unfitness to effectively perform the duties of the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-11 ANN BATTAGLIA

Ann Battaglia, a Quality Assurance Coordinator with the Department of Human Services (DHS), appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be denied.

B-12 MYRNA DURAND

Myrna Durand, a Senior Correction Officer with Southern State Correctional Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be denied.

B-13 SCOTT HOLLIDAY

Scott Holliday, a Senior Correction Officer at East Jersey State Prison, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be denied.

B-14 SARAH IVORY

Sarah Ivory, a Senior Technician, MIS with the Department of Human Services, represented by Paul A. Devlin, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be denied.

B-15 DEBORAH JAMES

Deborah James, a Senior Data Entry Machine Operator (Terminal) with the Department of the Treasury, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted.

B-16 TANYA ONLY

Tanya Only, a Human Services Assistant at Ancora Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted.

B-17 EDMUND OSIAN

Edmund Osian, a Principal Environmental Specialist with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be denied.

B-18 RUTH SAMONSKI

Ruth Samonski, a Supervisor 1 (Motor Vehicles) with the Motor Vehicle Commission, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be denied.

B-19 EDMUND SKWARA

Edmund Skwara, an Engineering Technician 2 with the Department of Transportation, represented by Patrick Kavanagh, Staff Representative, CWA Local 1032, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted.

B-20 GWENDOLYN TERRELL

Gwendolyn Terrell, a Senior Food Service Handler with Woodbridge Developmental Center, Department of Human Services, represented by David R. Spevack, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted.

B-21 VIOLET WHEELER

Violet Wheeler, a Charge Nurse at Ancora Psychiatric Hospital, Department of Human Services, represented by Kristofer Chiesa, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be denied.

B-22 JOSEPH BRANIN

Joseph Branin, represented by Richard J. Shaklee, Esq., appeals the decision of Human Resource Information Services, which upheld the removal of his name from the eligible list for Police Officer (S9999D), Highlands Borough based on an unsatisfactory background report.

ACTION: The Merit System Board directed that this appeal be denied.

B-23 PAUL DEMARCO

Paul DeMarco, represented by John A. Boppert, Esq., appeals the decision of the Division of Human Resource Information Services, which upheld the bypass of his name on the Sheriff's Officer Sergeant (PC2581B), Ocean County eligible list.

ACTION: The Merit System Board directed that this appeal be denied.

B-24 RONALD GEBHART

Ronald Gebhart appeals the determination of the Division of Human Resource Information Services upholding the bypass of his name on the Police Officer (S9999D), Township of Lakewood eligible list.

ACTION: The Merit System Board directed that this appeal be denied.

B-25 CHARLES MATOS

Charles Matos, represented by David J. DiFillippo, Esq., appeals the decision of Human Resource Information Services (HRIS) which bypassed his name on a certification of the Police Sergeant (PM0959W), City of Newark, eligible list.

ACTION: The Merit System Board directed that this appeal be denied.

B-26 BRIAN MCGOWAN

Brian McGowan appeals the determination of the Division of Human Resource Information Services upholding the bypass of his name on the Fire Fighter (M2256D), Wildwood City eligible list.

ACTION: The Merit System Board directed that this appeal be denied.

B-27 ALFRED OLIVER

Alfred Oliver appeals the determination of the Division of Human Resource Information Services (HRIS) which upheld the removal of his name from the eligible list for County Correction Officer (S9999D), Mercer County on the basis that he falsified his application.

ACTION: The Merit System Board directed that this appeal be denied.

B-28 PAUL FENNEL, ET AL.

The City of Jersey City, represented by Anthony DeSalvo, Assistant Corporation Counsel, appeals the decision of Human Resource Information Services (HRIS), which found that the appointing authority was required to appoint Paul Fennel, Adalberto Rivera, Ryan Friend, Maria Sanchez, Yamileth Arroyo, Salvatore Sellito, Jon-Paul Sielski, Michael Rodriguez, Shanna Gamez, Luz Rojas, and Andrew Labruno from the Police Officer (S9999D), Jersey City, eligible list.

ACTION: The Merit System Board directed that these appeals be denied.

B-29 ASSISTANT ASSESSOR (SPECIAL REEMPLOYEMENT LIST), CITY OF EAST ORANGE

The appointing authority's failure to properly dispose of the certification for Assistant Assessor (Special Reemployment List) while a provisional appointee is serving in the title, has been referred to the Merit System Board for enforcement.

ACTION: The Merit System Board ordered the appointing authority to remove the provisional appointee, make an appointment from the certification and pay compliance costs.

B-30 MANAGEMENT SPECIALIST (M6197E), NEWARK SCHOOL DISTRICT

The appointing authority's failure to properly dispose of the certification for Management Specialist while a provisional appointee is serving in the title, has been referred to the Merit System Board for enforcement.

ACTION: The Merit System Board ordered the appointing authority to remove the provisional appointee, make an appointment from the certification and pay compliance costs.

B-31 SOCIAL CASE WORKER, CITY OF PERTH AMBOY (M0032D AND MO494E)

The appointing authority's failure to properly dispose of the certification for Social Case Worker while a provisional appointee is serving in the title, has been referred to the Merit System Board for enforcement.

ACTION: The Merit System Board ordered the appointing authority to remove the provisional appointee, make an appointment from the certification and pay compliance costs.

B-32 KEYSHIA GOODWIN

Keyshia Goodwin, a Senior Therapy Program Assistant at Green Brook Regional Center, Department of Human Services (DHS), appeals the determination of the Assistant Commissioner for Human Resources of the DHS, stating that the appellant had failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination, Harassment, or Hostile Environments in the Workplace.

ACTION: The Merit System Board directed that this appeal be denied.

B-33 MIRIAM ROSENSHEIN

Miriam Rosenshein, an Investigator, Violent Crimes Compensation Board, with the Department of Law and Public Safety (DLPS), appeals the determination of the Executive Assistant Attorney General, DLPS, stating that the appellant had failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination, Harassment, or Hostile Environments in the Workplace.

ACTION: The Merit System Board directed that this appeal be denied.

B-34 ELIZABETH DECELLO AND JOHN DOURGARIAN

Elizabeth DeCello and John Dourgarian petition the Merit System Board for reconsideration of the decision rendered on May 19, 2004 which found that they did not meet the experience requirements for the promotional examination for Executive Assistant 2 (PS8728T), Department of Transportation.

ACTION: The Merit System Board granted the requests.

B-35 SERENA JONES

Serena Jones, a Senior Data Entry Machine Operator with East Jersey State Prison, Department of Corrections, seeks enforcement of the Merit System Board decision rendered on October 1, 2003, granting her back pay, benefits, and seniority.

ACTION: The Merit System Board directed that this appeal be granted in part.

B-36 THOMAS PAPPAS

Thomas Pappas, a Truck Driver with the City of Paterson, represented by Keith O. Evan, Esq., petitions the Merit System Board (Board) for enforcement of the Board decision, *In the Matter of Thomas G. Pappas*, (MSB, decided December 15, 2004).

ACTION: The Merit System Board granted the request.

B-37 FRANCIS AMOS-ABANYIE

Francis Amos-Abanyie, formerly working in the title Medical and Health Services, Temporary Employment Services in the Department of Human Services, represented by William H. Haller, Esq. petitions the Merit System Board for a hearing regarding his termination from employment.

ACTION: The Merit System Board denied the request.

B-38 MONICA BROCK

Monica Brock petitions the Merit System Board for a change in her settlement agreement, which was acknowledged by the Board on June 25, 2003.

ACTION: The Merit System Board denied the request.

B-39 JOYCE ANN HERBERT

Joyce Ann Herbert, a former Secretary, Board/Commission with the Borough of Clementon, represented by Tracy D. Bothwell, Esq., petitions the Merit System Board for compensation for unused sick and vacation leave.

ACTION: The Merit System Board denied the request.

B-40 NANNETTE PALYOK

Nannette Palyok asserts that her promotional rights were abridged by the appointment of Edward Vrancik to the title of Assistant Chief Audit Activity, Treasury, Department of the Treasury.

ACTION: The Merit System Board directed that this appeal be denied.

B-41 FRANCIS SALENSKY, SR.

Francis Salensky, Sr., a Senior Parole Officer with the State Parole Board, represented by Colin M. Lynch, Esq., petitions the Merit System Board for interim relief of his immediate suspension, effective September 1, 2004.

ACTION: The Merit System Board denied the request for interim relief regarding the immediate suspension and the request for counsel fees. The Merit System Board granted the request for back pay from October 1, 2004 to the date the departmental hearing has been initiated.

B-42 THOMAS SARNECKI

The Township of Scotch Plains request relaxation of *N.J.A.C.* 4A:4-7.1A(c) so as to permit the intergovernmental transfer of Thomas Sarnecki from the title of Sheriff's Officer, Union County Sheriff's Office, to the title of Police Officer, Township of Scotch Plains.

ACTION: The Merit System Board granted the request.

B-43 TODD SPARKS

Todd Sparks, a Police Officer with Lawrence Township, appeals his non-appointment from the Police Sergeant (PM2554A), Lawrence Township eligible list.

ACTION: The Merit System Board directed that this appeal be denied.

B-44 COREY L. ATKINSON

Corey L. Atkinson appeals the determination of the Division of Selection Services which found that he did not meet the experience requirement for the open-competitive examination for Investigator 3 (S0344F).

ACTION: The Merit System Board directed that this appeal be denied.

B-45 DANIEL AVERY, ET AL.

Daniel Avery, Christopher Logan and James Newton appeal the determination of the Division of Selection Services that found that they did not meet the experience, or education and experience requirements for the open-competitive examination for Sales Representative 1, State Lottery (S6774F), Department of the Treasury.

ACTION: The Merit System Board directed that these appeals be denied.

B-46 CHRISTINE BARRON

Christine Barron appeals the determination of the Division of Selection Services that per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Assistant Administrative Analyst (PC0117F), Ocean County

ACTION: The Merit System Board directed that this appeal be denied.

B-47 ROSEMARIE BAYLIES

Rosemarie Baylies appeals the decision of the Division of Selection Services which found that she did not meet the experience requirement for the promotional examination for Secretarial Assistant 3 (Non-Stenographic) (PS1203P), Juvenile Justice Commission.

ACTION: The Merit System Board directed that this appeal be denied.

B-48 KAREN BLAND

Karen Bland appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Social Worker 2 (PS1663K), Department of Human Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-49 DAVID CALAMONERI

David Calamoneri appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Management Specialist (PM0956E), City of Hoboken.

ACTION: The Merit System Board directed that this appeal be granted.

B-50 ROBERT CALOCINO

Robert Calocino appeals the determination of the Division of Selection Services that he did not meet the requirements for the open-competitive examination for Principal Training Technician (S0314F), Statewide.

ACTION: The Merit System Board directed that this appeal be granted.

B-51 MARTIN CARLUCCIO, ET AL.

Martin Carluccio, William Sleek, Loretta Bay, Rick Pagnani, Tiffany Gulbranson and Alaina Fritz appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in experience for the open-competitive examination for Records Technician 3, Motor Vehicles (S0327F), Motor Vehicle Commission.

ACTION: The Merit System Board directed that these appeals be denied.

B-52 MICHAEL CARR, ET AL.

Michael Carr, Mahesh Desai, Eric Johnson, Hematlal Padalia, Stanley Pierzhanowski, Shawn Rabban, Jayantilal Rana, Lisette Rodriguez-Castillo, Robert Scholink, Girish Thakkar, and Priscilla Ukpah appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in experience for the promotional examination for Project Engineer, Materials (PS3427T), Department of Transportation.

ACTION: The Merit System Board directed that these appeals be denied.

B-53 LILLIAN CROSS

Lillian Cross appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Assistant County Adjuster (PC0925F), Atlantic County.

ACTION: The Merit System Board directed that this appeal be granted.

B-54 GLENN A. CUMMINGS

Glenn A. Cummings appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the experience requirement for the promotional examination for Construction and Maintenance Technician 2 (PS2827T), Department of Transportation.

ACTION: The Merit System Board directed that this appeal be denied.

B-55 BHULESHAWAR DARJI, ET AL.

Bhuleshwar Darji, Edward D’Zurilla, and Anna Gorbaty appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in experience for the promotional examination for Project Engineer, Utilities (PS3428T), Department of Transportation.

ACTION: The Merit System Board directed that these appeals be denied.

B-56 MARTHA DASILVA AND JOSEZETTA HILL

Martha DaSilva and Josezetta Hill appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional examination for Human Services Specialist (PC1410F), Union County.

ACTION: The Merit System Board directed that these appeals be granted.

B-57 PEGGY DORION

Peggy Dorion appeals the determination of the Division of Selection Services that she did not meet the requirements for the open-competitive examination for Technical Assistant, Personnel (S0282F), Statewide.

ACTION: The Merit System Board directed that this appeal be denied.

B-58 KATHLEEN EASTON

Kathleen Easton appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Director Community Improvements (PM0419F), Paterson.

ACTION: The Merit System Board directed that this appeal be denied.

B-59 LINDA FREEMAN

Linda Freeman appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the open competitive examination for Assistant Administrator, Cultural and Heritage Affairs (M6610F), City of Rahway.

ACTION: The Merit System Board directed that this appeal be denied.

B-60 CYNTHIA GARLAND

Cynthia Garland appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Assistant Supervisor of Accounts (PM0612F), Wildwood City.

ACTION: The Merit System Board directed that this appeal be granted.

B-61 JOSEPH GERUNTHO

Joseph Geruntho appeals the determination of the Division of Selection Services that he did not meet the education and experience requirements of the open-competitive examination for Electrical Mechanic (S0331F), Department of Transportation.

ACTION: The Merit System Board directed that this appeal be denied.

B-62 AARON GOAR AND JOSEPH PEZZILLO

Aaron Goar and Joseph Pezzillo appeal the determinations of the Division of Selection Services which found that they did not meet the education requirements for the open-competitive examination for Biologist, Mosquito Extermination (C0761E), Passaic County.

ACTION: The Merit System Board directed that these appeals be denied.

B-63 THERESA HAWKINS

Theresa Hawkins appeals the determination of the Division of Selection Services that found that, per the substitution clause for education, she did not meet the experience requirements for the Administrative Analyst 2 (PS1106K), Department of Human Services promotional examination.

ACTION: The Merit System Board directed that this appeal be denied.

B-64 CHRIS KINLOCK

Chris Kinlock appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the open-competitive examination for Greenskeeper (M6442E), Berkeley Township.

ACTION: The Merit System Board directed that this appeal be denied.

B-65 FRANCISCO LOPEZ

Francisco Lopez appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the open competitive examination for Greenskeeper (M6442E), Berkeley Township.

ACTION: The Merit System Board directed that this appeal be granted.

B-66 PATRICIA MCNAMEE

Patricia McNamee appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Deputy Municipal Court Administrator (PM0276F), Township of Middletown.

ACTION: The Merit System Board directed that this appeal be granted.

B-67 MARIA MIRYS

Maria Mirys appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for a prospective promotional appointment to the title of Technical Program Assistant (Personnel), Department of Human Services.

ACTION: The Merit System Board directed that this appeal be granted.

B-68 GREGORY MOTCHNIK

Gregory Motchnik appeals the determination of the Division of Selection Services which found that he did not meet the experience requirement for the open-competitive examination for Habilitation Plan Coordinator (S0176E), Department of Human Services.

ACTION: The Merit System Board directed that this appeal be granted.

B-69 RICK PAGNANI AND QUDDUS QAYYUM

Rick Pagnani and Quddus Qayyum appeal the determination of the Division of Selection Services which found that they were below the minimum requirements in experience for the open-competitive examination for Utility Management Analyst (S6771F), Board of Public Utilities.

ACTION: The Merit System Board directed that these appeals be denied.

B-70 ANTHONY STRICKLAND AND RICK PAGNANI

Anthony Strickland and Rick Pagnani appeal the determinations of the Division of Selection Services which found them below the minimum requirements in experience for the open-competitive examination for Supervisor, General and Support Services (S3029F), Motor Vehicle Commission.

ACTION: The Merit System Board directed that these appeals be denied.

B-71 MARK RODINA

Mark Rodina appeals the test administration and his score for the promotional examination for Police Chief (PM3530F), Lakehurst Borough.

ACTION: The Merit System Board directed that this appeal be denied.

B-72 ERIC AMATO, ET AL.

Eric Amato, Patrick Burns, James Donovan, Matthew Dugan, Chris Foster, Charles Hetzel and Joseph Spiers (PM2508F), Bayonne; Guy Mariani (PM2511F), Byram; David Derosa, Lawrence Gioconda, Michael Niewinski and Giacomo Sacca (PM2517F, Elizabeth, John Feltes, James Petrecca and Victor Tobiasz (PM2521F), Hamilton Township, Charles Campbell, Edgardo Cruz, Edmond Drishti, Anthony Falco, Scott Hochstadter, James Peck and Peter Zanin (PM2524F), Hoboken; Charles Fackenthall, Adrian Mendez, Leonard Sutton, Peter Szpakowski and Timothy Thomas (PM2541F), Trenton, Anthony Facchini and Ramon Vasquez (PM2542F), Union City; John DeMars (PM2546F), West Orange; and Mario Correia (PM2559F), Newark; appeal the written examination for Police Sergeant (various jurisdictions).

ACTION: The Merit System Board directed that these appeals be denied.

B-73 JAMES LUTZ

James Lutz appeals the determination of the Division of Selection Services which denied his request for a make-up for the promotional examination for Director of Custody Operations 1 (PS3874I), Department of Corrections.

ACTION: The Merit System Board directed that this appeal be denied.

B-74 RUBEN CABRERA

Ruben Cabrera appeals the determination of the Division of Selection Services that he did not meet the residency requirement for the open-competitive examination for Omnibus Operator (M9173E), Township of North Bergen.

ACTION: The Merit System Board directed that this appeal be granted.

B-75 PHILIP BEESLEY, ET AL.

Philip Beesley, George Chin, Sharon Freck-Tootell, Michael Kennedy, Raymond Klama, Michael Koval, LisaAnn Ligato, Jacki Mancilla, Karin Menser, Evelyn Moses, Thomas Nizolek, Antoinette Pettincki, Joseph Pino, Patricia Prusak, Tracey Pursell, Michele Roberts, Gail Tighe, James Toner and Laura Tramontin appeal their scores on the promotional examination for Forensic Scientist 3, Department of Law and Public Safety (DLPS (PS1164P), Division of State Police.

Appellants Beesley, Ching, Kennedy, Mancilla, Menser, Nizolek, Pettincki, Pursell, Roberts, Toner, Tighe, and Sally Ertle, James Meehan, Desiree Reid, Susan Toner and Paul Verdino request that the results of the Supervisory Test Battery of Thomas Lesniak be removed from consideration for his ranking for the promotional examination for Forensic Scientist 3, DLPS (PS1164P), Division of State Police.

ACTION: The Merit System Board directed that these appeals be granted in part.

B-76 CHAD WALDER

The Department of Environmental Protection requests administrative relief in order to effectuate the transfer of Chad Walder, a Senior Correction Officer, Juvenile Justice, to the title of Ranger, Department of Environmental Protection.

ACTION: The Merit System Board granted the request.

B-77 FIRE CHIEF (PM3608F), CITY OF ASBURY PARK

The City of Asbury Park petitions the Merit System Board for reconsideration of the final decision, rendered on February 23, 2005, which denied the request of the Professional Firefighters Association of New Jersey to postpone the Fire Chief (PM3608F), City of Asbury Park, promotional examination.

ACTION: The Merit System Board denied the request.

B-78 KEITH BLACK

The appeal of Keith Black, a Human Services Assistant with New Lisbon Developmental Center, Department of Human Services, of his resignation not in good standing, on charges, effective January 30, 2004, was heard by Administrative Law Judge (ALJ) James W. Faison, III, who rendered his initial decision on February 10, 2005. At its meeting on March 23, 2005, the Merit System Board (Board), adopted the recommendation to uphold the appellant's resignation not in good standing.

ACTION: The Merit System Board adopted the final decision

VOTE:	Rolando Torres, Jr.	(Yes)
	Flavella Branhan	(Yes)
	John Currie	(Yes)
	Robert J. Long	(Abstained)

B-79 ARTELLA RICHARDSON

The appeal of Artella Richardson, an Assistant Supervisor of Recreation at South Woods State Prison, Department of Corrections, of her removal, effective September 11, 2003, on charges, was heard by Administrative Law Judge Donald J. Stein (ALJ), who rendered his initial decision on February 18, 2005. At its meeting on March 23, 2005, the Merit System Board (Board) did not adopt the ALJ's recommendation to modify the removal to a six-month suspension. Rather, the Board upheld the removal.

ACTION: The Merit System Board adopted the final decision.

VOTE:	Rolando Torres, Jr.	(Yes)
	Flavella Branhan	(Yes)
	John Currie	(Yes)
	Robert J. Long	(Abstained)

B-80 CHRIS KETCHUM

Chris Ketchum appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the open competitive examination for Code Enforcement Officer (M6739F), City of Burlington.

ACTION: The Merit System Board directed that this appeal be granted.

B-81 EARLY SETTLEMENTS

Sherry Bethea
New Jersey Motor Vehicle Commission
Suspension

George Parham
New Jersey State Prison
Department of Corrections
Suspension

Shankia Perry
New Lisbon Developmental Center
Department of Human Services
Removal

Rosemarie Tatusko
County of Burlington
County Jail
Suspension

ACTION: The Merit System Board acknowledged the settlements.

B-82 MERIT SYSTEM BOARD MINUTES

The Merit System Board minutes of its meeting of March 23, 2005 are submitted for adoption.

ACTION: The Merit System Board adopted the minutes of its meeting of March 23, 2005.

VOTE:	Rolando Torres, Jr.	(Yes)
	Flavella Branhan	(Yes)
	John Currie	(Yes)
	Robert J. Long	(Abstained)

There being no further business before the Merit System Board, the meeting was adjourned to convene on Wednesday, April 20, 2005 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

ROLANDO TORRES, JR.
COMMISSIONER
MERIT SYSTEM BOARD